


FORM PTO-1390 (REV 10-94)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 00270.0079USWO
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) Unknown 10/519811
INTERNATIONAL APPLICATION NO. PCT/CA2003/000964	INTERNATIONAL FILING DATE June 27, 2003	PRIORITY DATE CLAIMED June 28, 2002	
TITLE OF INVENTION HARVEST-INDUCIBLE GENES FROM ALFALFA (MEDICAGO SATIVA) AND METHODS OF USE THEREOF (AS AMENDED)			
APPLICANT(S) FOR DO/EO/US ERICKSON et al.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An unsigned oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 			
Items 11. to 16. below concern document(s) or information included:			
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.			
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.			
13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.			
14. <input type="checkbox"/> A substitute specification.			
15. <input type="checkbox"/> A change of power of attorney and/or address letter.			
16. <input checked="" type="checkbox"/> Other items or information: Computer readable form of Amended Sequence Listing, Application Data Sheet (3 pages), Form 1449, 4 references, International Publication Page, paper copy form of Amended Sequence Listing, Response to Written Opinion, Form PCT/RO/101, Form PCT/ISA/210, Form PCT/ISA/220, Form PCT/IB/304, Form PCT/IB/306, Form PCT/IB/332, Form PCT/IPEA/402, Form PCT/IPEA/408, Form PCT/IPEA/409, Form PCT/IPEA/416			

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
Unknown 10/519811		PCT/CA2003/000964		00270.0079USWO	
BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):					
[X] a) Basic National fee.....				\$300.00	\$300.00
[X] b) Examination fee.....				\$200.00	\$200.00
[X] c) Search fee.....				\$500.00	\$500.00
TOTAL OF ABOVE CALCULATIONS =				\$1000.00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		Rate	
54	-100 = 0	/50 =		X \$250.00	\$0
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	26	-20 = 6	X \$50.00	\$300.00	
Independent claims	4	-3 = 1	X \$200.00	\$200.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$0	
TOTAL OF ABOVE CALCULATIONS =				\$1500.00	
Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed pursuant to 37 CFR 1.27				\$0	
SUBTOTAL =				\$1500.00	
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$0
TOTAL NATIONAL FEE =				\$1500.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$0
TOTAL FEES ENCLOSED =				\$1500.00	
				Amount to be: refunded	\$0
				charged	\$0
<p>a. [X] Check(s) in the amount of \$1500.00 to cover the above fees is enclosed.</p> <p>b. [] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-2725</u>.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Gregory A. Sebald MERCHANT & GOULD P.O. Box 2903 Minneapolis, MN 55402-0903</p>					
<p>SIGNATURE: </p> <p>NAME: Gregory A. Sebald</p> <p>REGISTRATION NUMBER: 33,280</p>					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/519811

Dec 2 Rec'd PCT/PTO 28 DEC 2004

Applicant: ERICKSON et al.

Docket: 00270.0079USWO

Title: HARVEST-INDUCIBLE GENES FROM ALFALFA (MEDICAGO SATIVA) AND METHODS OF USE THEREOF (AS AMENDED)

CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EV 495870116 US

Date of Deposit: December 28, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

Name: David Ortiz

Mail Stop PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ National Stage PCT Patent Application: Spec. 41 pgs; Sequence Listing 10 pgs; 26 claims; Abstract 0 pgs. The fee has been calculated as shown below in the 'Claims as Filed' table.
- ☒ 13 sheets of formal drawings
- ☒ An unsigned Combined Declaration and Power of Attorney
- ☒ A check in the amount of \$1500.00 to cover the Filing Fee
- ☒ Information Disclosure Statement, Form 1449, 4 reference(s).
- ☒ Application Data Sheet, 3 pages.
- ☒ Computer readable form of Amended Sequence Listing. Applicants state that the paper copy form of the Amended Sequence Listing section of the present application, and the computer readable form submitted herewith, are the same.
- ☒ Other: Form PTO-1390, Preliminary Amendment (4 pages), International Publication page, paper copy form of Amended Sequence Listing, Response to Written Opinion, Form PCT/RO/101, Form PCT/ISA/210, Form PCT/ISA/220, Form PCT/IB/304, Form PCT/IB/306, Form PCT/IB/332, Form PCT/IPEA/402, Form PCT/IPEA/408, Form PCT/IPEA/409, Form PCT/IPEA/416
- ☒ Return postcard

CLAIMS AS FILED

Number of Claims Filed	No.	In Excess of	Extra	Rate	Fee
Total Claims	26	20	6	50.00	= 300.00
Independent Claims	4	3	1	200	= 200.00
Multiple Dependent Claims Fee					= 0.00
Basic Filing Fee					= 300.00
Search Fee					= 200.00
Examination Fee					= 500.00
Utility Application Size Fee	54	100	0	250.00	= 0.00
Total					= 1500.00

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.

P.O. Box 2903, Minneapolis, MN 55402-0903
(612) 332-5300

By: 

Name: Gregory A. Sebald

Reg. No.: 33,280

Initials: GAS/sbd

23552

PATENT TRADEMARK OFFICE

(PTO TRANSMITTAL - NEW FILING)

DOCKET NOTIFICATION SLIP

TO: PATENT DOCKETING

Applicant: ERICKSON et al.
Title: HARVEST-INDUCIBLE GENES FROM ALFALFA (MEDICAGO SATIVA) AND METHODS
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GAS/sbd